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wording, the county planning commission. And so that's kind of unclear because the county planning commission does not make the final determination. The county board does, but the county planning commission just recommends to them. Later on, in subsection (5) of that, in the old language in the statute it says, except that a county board or commission or...commissioners or supervisors may choose to retain itself the power to grant conditional use or special exemptions (sic). So this just kind of clarifies it because it was...there was some questions of why it says the county planning commission would make this final determination when it can still be the county board, if they retain that power themselves. So it just...it just clarifies that, so I support the amendment, and with that, I will give my balance of my time back to the Chair.

SENATOR CUDABACK: Thank you, Senator Kremer. (Visitors introduced.) On with discussion of AM1188, Senator Baker, followed by Senator Janssen.

SENATOR BAKER: Thank you, Senator Cudaback and members. I am not on Ag Committee, obviously. I look at the committee statement though and see how emotional this issue is out there in the country, and I think that's probably a big part of what we're trying to do, is getting...get some of the emotion out of these discussions. I have, too, been contacted by various people in my district. It's...they think that this is a landmark move we're making here and a far-reaching decision we're about to come to and I tell them, no, this is no final solution; this is simply a step in the right direction, as far as I'm concerned. Let me tell you what happened in my local county, where I happen...it's where I live and it's right in my backyard. This dairy proposed to come into Hitchcock County, 2,000-head dairy, 20 jobs, think about a \$7 million investment. Purchased the land, drilled the water wells, got the permits, and then the political reality hit. The commissioners were just split on it and so on. They did eventually get a permit but then the frivolous lawsuits started, and they have all since been dismissed, and this bill doesn't have anything to do with so-called what I consider frivolous lawsuits. But this dairy was going to locate there. As I said, they had actually started doing dirt work and so on and eventually just gave up on the